

U.S. Serial No. 10/020,629
Amendment to Office Action dated June 29, 2004

Remarks

The preceding amendments and following remarks are submitted in response to the non-final Office Action mailed June 29, 2003, setting a three-month shortened statutory period for response ending September 29, 2004. Reconsideration, examination and allowance of all pending claims are respectfully requested. Claims 1-42 were pending. Claims 13-28 have been allowed. Claims 1-12, 29, and 35-37 were rejected. Claims 31-34 and 38-42 were objected to. Claims 1-12 have been cancelled and claims 29 and 31 have been amended.

Claim Amendments

Claim 29 was amended to incorporate an element of dependent claim 31. Claim 31 was amended to delete this element. No new matter was added.

Claim Rejections—35 U.S.C. § 102

Claim 29 was rejected under 35 U.S.C. § 102(b) as being anticipated by Khosrahvi (U.S. Patent No. 6,361,546). Applicants respectfully traverse the rejection because Khosravi does not disclose each and every element of the claimed invention.

For example, amended claim 29 recites “providing a filter cartridge having a proximal ridge disposed within a body vessel lumen”. Khosravi does not disclose this step as it does not disclose any filter cartridge that has a proximal ridge. By providing a

U.S. Serial No. 10/020,629
Amendment to Office Action dated June 29, 2004

filter cartridge having a proximal ridge, a more secure fit is possible between the filter cartridge and the retrieval device. Applicants therefore respectfully submit that claim 29 is in condition for allowance.

Claims 1, 3-8, 12, 35 and 37 were rejected under 35 U.S.C. § 102(b) as being anticipated by Broome et al. (U.S. Patent No. 6,152,946). Applicants respectfully traverse the rejection.

Claims 1, 3-8, and 12 have been cancelled, obviating the rejection.

Claim 35 recites "a proximal region having an area with an increased coefficient of friction for interface with a retrieval device", a feature not disclosed in Broome et al. For example, the device of Figures 11-12 of Broome et al has a filter which has proximal notches 110 which mesh with retrieval surface 126 of sheath 120. In contrast, the invention of claim 35 utilizes an area with an increased coefficient of friction. This may ensure a reliable connection is made between the filter and the retrieval device while permitting the retrieval device to have a lower profile than that of Broome et al. This may advantageously permit other therapeutic instruments such as aspiration catheters room to fit or maneuver in the limited space available in a body vessel lumen. Applicants thus submit that claim 35 is in condition for allowance. Claim 37 depends from claim 35 and contains additional elements; applicants submit that this claim is in condition for allowance as well.

U.S. Serial No. 10/020,629

Amendment to Office Action dated June 29, 2004

Claims 1-12, 29, and 35-37 were rejected under 35 U.S.C. § 102(e) as being anticipated by Green (U.S. Patent No. 6,485,501). Applicants respectfully traverse the rejection.

Claims 1-12 have been cancelled, obviating the rejection.

Claim 35 recites "a proximal region having an area with an increased coefficient of friction for interface with a retrieval device", a feature not disclosed in Green. For example, in the device of Figure 28 of Greene, a snap-type barb 372 interfaces with the retrieval device 375. No area with an increased coefficient of friction is disclosed. The invention of claim 35 provides advantages such as those describe above with respect to Broome et al. Applicants therefore submit that claim 35 is in condition for allowance. As claims 36-37 depend from claim 35 and contain additional elements, applicants submit that these claims are in condition for allowance as well.

Objections

Claims 31-34 and 38-42 were objected to as depending from a rejected base claim. As applicants submit that the base claims are in condition for allowance, applicants submit that these claims, which depend from the base claims and contain additional elements, are also in condition for allowance.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that the claims are now in condition for allowance, issuance of a Notice of

U.S. Serial No. 10/020,629
Amendment to Office Action dated June 29, 2004

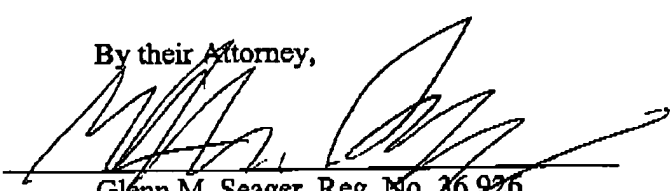
Allowance in due course is requested. If a telephone conference might be of assistance,
please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

ANTHONY C. VRBA ET AL.

By their Attorney,

Date: Sept 23, 2004


Glenn M. Seager, Reg. No. 36,926
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, Minnesota 55403-2420
Tel: (612) 677-9050